

## § 389.40

reviews each application for information that shows that the proposed project appropriately relates to the mission of the State-Federal rehabilitation service programs.

(2) The Secretary reviews each application for information that shows that the proposed project includes an assessment of the potential of existing programs within the geographical area (including State vocational rehabilitation unit in-service training) to meet the needs for which support is sought.

(3) The Secretary looks for information that shows that the proposed project can be expected to improve the competence of professional and other personnel in the rehabilitation agencies serving individuals with severe disabilities.

(b) [Reserved]

(Authority: 29 U.S.C. 711(c))

[62 FR 10405, Mar. 6, 1997]

### **Subpart E—What Conditions Must Be Met by a Grantee?**

#### **§ 389.40 What are the matching requirements?**

A grantee must contribute to the cost of a project under this program in an amount satisfactory to the Secretary. The part of the cost to be borne by the grantee is determined by the Secretary at the time of the grant award.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

#### **§ 389.41 What are allowable costs?**

In addition to those allowable costs established under EDGAR §§75.530–75.562, the following items are allowable under Rehabilitation Continuing Education programs—

- (a) Trainee per diem costs;
- (b) Trainee travel in connection with a training course;
- (c) Trainee tuition and fees; and
- (d) Special accommodations for trainees with handicaps.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

[45 FR 86385, Dec. 30, 1980, as amended at 53 FR 17147, May 13, 1988]

## 34 CFR Ch. III (7–1–04 Edition)

### **PART 390—REHABILITATION SHORT-TERM TRAINING**

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#### **Subpart E—What Conditions Must Be Met by a Grantee?**

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390.41 What are allowable costs?

AUTHORITY: 29 U.S.C. 711(c) and 774, unless otherwise noted.

SOURCE: 45 FR 86386, Dec. 30, 1980, unless otherwise noted.

#### **Subpart A—General**

##### **§ 390.1 What is the Rehabilitation Short-Term Training program?**

This program is designed for the support of special seminars, institutes, workshops, and other short-term courses in technical matters relating to the vocational, medical, social, and psychological rehabilitation programs, independent living services programs, and client assistance programs.

(Authority: Secs. 12(a)(2) and 302 of the Act; 29 U.S.C. 711(a)(2) and 774)

[59 FR 8348, Feb. 18, 1994]

**§ 390.2 Who is eligible for assistance under this program?**

Those agencies and organizations eligible for assistance under this program are described in 34 CFR 385.2.

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

**§ 390.3 What regulations apply to this program?**

(a) 34 CFR part 385 (Rehabilitation Training); and

(b) The regulations in this part 390.

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

**§ 390.4 What definitions apply to this program?**

The definitions in 34 CFR part 385 apply to this program.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

**Subpart B—What Kinds of Projects Does the Department of Education Assist Under This Program?**

**§ 390.10 What types of projects are authorized under this program?**

(a) Projects under this program are designed to provide short-term training and technical instruction in areas of special significance to the vocational, medical, social, and psychological rehabilitation programs, supported employment programs, independent living services programs, and client assistance programs.

(b) Short-term training projects may be of regional or national scope.

(c) Conferences and meetings in which training is not the primary focus may not be supported under this program.

(Authority: Secs. 12(a)(2) and 302 of the Act; 29 U.S.C. 711(a)(2) and 774)

[45 FR 86386, Dec. 30, 1980, as amended at 59 FR 8348, Feb. 18, 1994]

**Subpart C [Reserved]**

**Subpart D—How Does the Secretary Make a Grant?**

**§ 390.30 What additional selection criterion is used under this program?**

In addition to the criteria in 34 CFR 385.31(c), the Secretary uses the following additional selection criterion to evaluate an application:

(a) *Relevance to State-Federal rehabilitation service program.* (1) The Secretary reviews each application for information that shows that the proposed project appropriately relates to the mission of the State-Federal rehabilitation service programs.

(2) The Secretary looks for information that shows that the proposed project can be expected to improve the skills and competence of—

(i) Personnel engaged in the administration or delivery of rehabilitation services; and

(ii) Others with an interest in the delivery of rehabilitation services.

(b) [Reserved]

(Authority: 29 U.S.C. 711(c) and 774)

[62 FR 10406, Mar. 6, 1997]

**Subpart E—What Conditions Must Be Met by a Grantee?**

**§ 390.40 What are the matching requirements?**

A grantee must contribute to the cost of a project under this program in an amount satisfactory to the Secretary. The part of the costs to be borne by the grantee is determined by the Secretary at the time of the award.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

**§ 390.41 What are allowable costs?**

(a) In addition to those allowable costs established in EDGAR §§ 75.530–75.562, the following items are allowable under short-term training projects:

(1) Trainee per diem costs;

(2) Trainee travel in connection with a training course;

(3) Trainee registration fees; and

(4) Special accommodations for trainees with handicaps.

(b) The preparation of training materials may not be supported under a

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short-term training grant unless the materials are essential for the conduct of the seminar, institute, workshop or other short course for which the grant support has been provided.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

[45 FR 86386, Dec. 30, 1980, as amended at 53 FR 17148, May 13, 1988]

**PART 395—VENDING FACILITY  
PROGRAM FOR THE BLIND ON  
FEDERAL AND OTHER PROPERTY**

**Subpart A—Definitions**

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- 395.3 Application for designation as State licensing agency; content.
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- 395.6 Vendor ownership of vending facilities.
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- 395.15 Use of nominee agreements.
- 395.16 Permit for the establishment of vending facilities.
- 395.17 Suspension of designation as State licensing agency.

**Subpart C—Federal Property Management**

- 395.30 The location and operation of vending facilities for blind vendors on Federal property.
- 395.31 Acquisition and occupation of Federal property.
- 395.32 Collection and distribution of vending machine income from vending machines on Federal property.
- 395.33 Operation of cafeterias by blind vendors.
- 395.34 Application for permits.
- 395.35 Terms of permit.

395.36 Enforcement procedures.

395.37 Arbitration of State licensing agency complaints.

395.38 Reports.

AUTHORITY: Sec. 2, 49 Stat. 1559, as amended; 20 U.S.C. 107a.

SOURCE: 42 FR 15802, Mar. 23, 1977, unless otherwise noted. Redesignated at 45 FR 77369, Nov. 21, 1980, and further redesignated at 46 FR 5417, Jan. 19, 1981.

**Subpart A—Definitions**

**§ 395.1 Terms.**

Unless otherwise indicated in this part, the terms below are defined as follows:

(a) *Act* means the Randolph-Sheppard Vending Stand Act (Pub. L. 74-732), as amended by Pub. L. 83-565 and Pub. L. 93-516, 20 U.S.C., ch. 6A, Sec 107.

(b) *Blind licensee* means a blind person licensed by the State licensing agency to operate a vending facility on Federal or other property.

(c) *Blind person* means a person who, after examination by a physician skilled in diseases of the eye or by an optometrist, whichever such person shall select, has been determined to have

(1) Not more than 20/200 central visual acuity in the better eye with correcting lenses, or

(2) An equally disabling loss of the visual field as evidenced by a limitation to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than 20°.

(d) *Cafeteria* means a food dispensing facility capable of providing a broad variety of prepared foods and beverages (including hot meals) primarily through the use of a line where the customer serves himself from displayed selections. A cafeteria may be fully automatic or some limited waiter or waitress service may be available and provided within a cafeteria and table or booth seating facilities are always provided.

(e) *Secretary* means the Secretary of the Rehabilitation Services Administration.

(f) *Direct competition* means the presence and operation of a vending machine or a vending facility on the same premises as a vending facility operated